THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.18121 OF 2006

DATED 04.09.2006

Between:

Y.Satyam. .. PETITIONER

versus

The Commissioner,
Sircilla Municipalility,
Kareemnagar District. .. RESPONDENT

WRIT PETITION NO.18121 OF 2006

ORDER:

Heard the learned counsel.

2. The Writ Petition is for a Writ of Mandamus directing the respondent not to demolish the house of the petitioner at Shivanagar, Sircilla, Karimnagar District by declaring the order of the respondent bearing No.G1/2/2006, dated 22.8.2006 as illegal and set aside the same and pass such other suitable orders.

3. The main grievance of the petitioner is that though it is shown to be a provisional order, virtually a decision had been taken without affording proper opportunity to raise objections, if any.

4. The learned Standing Counsel for the respondent-Municipality would submit that as it is only a provisional order, the petitioner is entitled to raise appropriate objections to the said show cause notice.

5. In view of the facts and circumstances well explained, the petitioner is given liberty to raise the objections, if any, within a period of one (01) week from the date of receipt of the notice and the respondent to consider the same and further proceed with in accordance with law. It is needless to say that the respondent is expected to follow the procedure under Section 228(3) of A.P. Municipalities Act, 1965.

6. With the direction indicated above, the Writ Petition is disposed of. No costs.

04.09.2006

SSR